

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No: 24-1380

Zimmer Radio of Mid-Missouri, Inc.

Petitioner

ABC Television Affiliates Association; CBS Television Network Affiliates Association; FBC Television Affiliates Association; NBC Television Affiliates; Connoisseur Media, LLC; Eagle Communications, Inc.; Legend Communications of Wyoming, LLC; Mid-West Management, Inc.; Midwest Communications, Inc.; Sun Valley Radio, Inc.

Intervenors

v.

Federal Communications Commission; United States of America

Respondents

NCTA-The Internet & Television Association; American Television Alliance

Intervenors

Common Cause; Free Press; Future of Music Coalition; National Association of Broadcast Employees and Technicians-Communications Workers of America; United Church of Christ, Office of Communication, Inc.; musicFIRST Coalition

Amici on Behalf of Respondent

No: 24-1480

Beasley Media Group, LLC; Tri-State Communications, Inc.

Petitioners

ABC Television Affiliates Association; CBS Television Network Affiliates Association; FBC Television Affiliates Association; NBC Television Affiliates; Connoisseur Media, LLC; Eagle Communications, Inc.; Legend Communications of Wyoming, LLC; Mid-West Management, Inc.; Midwest Communications, Inc.; Sun Valley Radio, Inc.

Intervenors

v.

Federal Communications Commission; United States of America

Respondents

NCTA-The Internet & Television Association; American Television Alliance

Intervenors

Common Cause; Free Press; Future of Music Coalition; National Association of Broadcast
Employees and Technicians-Communications Workers of America; United Church of Christ,
Office of Communication, Inc.; musicFIRST Coalition

Amici on Behalf of Respondent

No: 24-1493

National Association of Broadcasters

Petitioner

ABC Television Affiliates Association; CBS Television Network Affiliates Association; FBC
Television Affiliates Association; NBC Television Affiliates; Connoisseur Media, LLC; Eagle
Communications, Inc.; Legend Communications of Wyoming, LLC; Mid-West Management,
Inc.; Midwest Communications, Inc.; Sun Valley Radio, Inc.

Intervenors

v.

Federal Communications Commission; United States of America

Respondents

NCTA-The Internet & Television Association; American Television Alliance

Intervenors

Common Cause; Free Press; Future of Music Coalition; National Association of Broadcast
Employees and Technicians-Communications Workers of America; United Church of Christ,
Office of Communication, Inc.; musicFIRST Coalition

Amici on Behalf of Respondent

Nexstar Media Group, Inc.

Petitioner

ABC Television Affiliates Association; CBS Television Network Affiliates Association; FBC Television Affiliates Association; NBC Television Affiliates; Connoisseur Media, LLC; Eagle Communications, Inc.; Legend Communications of Wyoming, LLC; Mid-West Management, Inc.; Midwest Communications, Inc.; Sun Valley Radio, Inc.

Intervenors

v.

Federal Communications Commission; United States of America

Respondents

NCTA-The Internet & Television Association; American Television Alliance

Intervenors

Common Cause; Free Press; Future of Music Coalition; National Association of Broadcast Employees and Technicians-Communications Workers of America; United Church of Christ, Office of Communication, Inc.; musicFIRST Coalition

Amici on Behalf of Respondent

Petition for Review of an Order of the Federal Communications Commission
(FCC 23-117)
(FCC-23-117)
(FCC-23-117)
(FCC-23-117)

JUDGMENT

Before GRUENDER, BENTON, and SHEPHERD, Circuit Judges.

These appeals were submitted on petitions for review of an order of the Federal Communications Commission, briefs of the parties and was argued by counsel.

After consideration, it is hereby ordered and adjudged that Petitioners' petitions are granted in part. The amendment to Note 11 and the Top-Four Prohibition, including the audience share methodology is vacated and remanded. We withhold for 90 days issuance of the mandate as to the Top-Four Prohibition. We deny the petition for review on all other issues in accordance with the opinion of this court.

July 23, 2025

Order Entered in Accordance with Opinion:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Susan E. Bindler